

### **REMARKS**

Claims 1-6 and 18, as amended, are pending in this application. Applicant appreciates the Examiner's recognition of the allowable subject matter in claims 2-6 and 18. In response to the rejection of claim 1, Applicant has amended independent claim 1 to clarify the features of the present invention. Applicant has also included the text of the withdrawn claims, with the appropriate status identifiers, in order to respond to the Notice of Non-Compliant Amendment mailed March 29, 2006. Aside from the addition of the text of the withdrawn claims, the remarks and amendments herein are the same as the remarks and amendments included in the Response filed on March 16, 2006.

In light of the Office Action, Applicant believes these amendments serve a useful clarification purpose, independent of patentability. Accordingly, Applicant respectfully submits that the claim amendments do not limit the range of any permissible equivalents. As no new matter has been added, Applicant respectfully request entry of these amendments at this time.

### **THE REJECTIONS UNDER 35 U.S.C. § 102**

At pages 2-3 of the Office Action, the Examiner rejected claim 1 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,898,341 to Huang *et al.* ("Huang"). For the reasons stated below, Applicant submits that the Examiner's rejection has been overcome.

Huang discloses an optical system for calibration and control of an optical fiber switch. *See* Abstract. Huang uses position sensing detectors to determine if control beams of light are directed to the appropriate receiver, such as a mirror or output port. *See* Col. 2, lines 7-28. Once the calibration is performed, light from any input port can be directed to any output port. *See* Col. 4, lines 51-54.

As shown above, Applicant has amended claim 1 to clarify that the supplying means supplies the optical signal supplied to the optical transmission signal input portion, instead of the signal of monitoring the optical switch circuit, when the optical level is more than the predetermined level. Because Huang is completely silent as to this feature of the present invention, Applicants submit that the Examiner's § 102 rejection of claim 1 has been overcome. As such, reconsideration and allowance of claim 1 is respectfully requested.

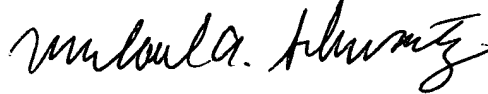
### CONCLUSION

All claims are believed to be in condition for allowance. If the Examiner believes that the present amendments and remarks still do not resolve all of the issues regarding patentability of the pending claims, Applicants invite the Examiner to contact the undersigned attorney to discuss any remaining issues.

No other fees are believed to be due at this time. Should any fee be required, however, please charge such fee to Bingham McCutchen LLP Deposit Account No. 195127, Order No. 19546.0047.

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Respectfully Submitted,  
BINGHAM MCCUTCHEN LLP



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